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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PAUL RESIKA, MICHAEL STEINER, GIORGIO
CAVALLON FAMILY LIMITED PARTNERSHIP,
DOLORES T. HILDING, GEORGE MCNEIL
CHARITABLE TRUST, and HELEN MCNEIL, . . .
Plaintiffs, . . .
- against - . . .
ECF
07 Civ. 9668 (SHS)

BENUCCI S.r.l., . . .

Defendant. . .

NOTICE OF MOTION TO DISMISS FRAUDULENT CONVEYANCE CLAIM

PLEASE TAKE NOTICE that upon the accompanying (a) memorandum of law of Defendant, (b) the declaration of Defendant's counsel, William C. Rand, Esq., and the exhibits attached thereto, and (c) all pleadings filed herein, a motion to dismiss Plaintiffs' fraudulent conveyance claims under Section 276 of the New York Debtor and Creditor Law pursuant to Rule 12(b)(6) and 9(b) of the Federal Rules of Civil Procedure, will be made by Defendant on a date to be set by the Court before the Honorable Sydney H. Stein at the United States Courthouse, 500 Pearl Street, New York, New York, 10007-1312.

Dated: New York, New York
March 7, 2007

LAW OFFICE OF WILLIAM COUDERT RAND

s/William C. Rand

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